

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EARL IRA BOWMAN,

Plaintiff,

v.

W. HAYES, et al.,

Defendants.

Case No. C16-381 RSM-BAT

**ORDER DENYING MOTION FOR
DISCOVERY**

Plaintiff Earl Ira Bowman moves the Court to order Defendants to release several documents listed in his motion. Dkt. 71. On February 9, 2017, counsel for defendants advised plaintiff that discovery requests are not filed with the Court, the parties' discovery deadline of December 28, 2016 had already passed, and the Court had denied plaintiff's request for a continuance. Dkt. 72 (citing Dkt. 70 (Order Denying Motions for Continuance, for Transcripts, and for Trial Subpoenas)).

While a party may apply to the court for an order compelling discovery, Fed. R. Civ. P. 37 and LCR 37(a)(1) require the movant to first meet and confer with the party failing to make disclosure or discovery in an effort to resolve the dispute without court action. In addition, when filing a motion to compel, the movant must include a certification, in the motion or in a declaration or affidavit, that the movant has in good faith conferred or attempted to confer with party failing to make disclosure or discovery in an effort to resolve the dispute without court action.

1 Here, plaintiff appears to be seeking a motion to compel for discovery requests that were
2 never served on defendants and the discovery deadline has long since passed.

3 Accordingly, it is **ORDERED**:

4 (1) Plaintiff's motion for discovery (Dkt. 71) is **DENIED**.

5 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to counsel
6 for Defendants.

7 DATED this 13th day of March, 2017.

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10 BRIAN A. TSUCHIDA
United States Magistrate Judge